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I hereby certify that this correspondence is being filed electronically with the United States Patent and Trademark Office, Commissioner for Patents, via the EFS pursuant to 37 C.F.R. §1.8 on the below date:

Date: September 3, 2008 Name: Stephen C. Smith (Reg. No. 56,250) Signature: /Stephen C. Smith/

**BRINKS
HOFER
GILSON
& LIONE**

Our Case No. 10922/51 (PTG-5338-RFB)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
FOSTER et al.)	
)	Examiner: Nguyen
Serial No. 10/617,580)	
)	Group Art Unit No. 3731
Filing Date: July 11, 2003)	
)	Confirmation No. 3677
For: FLEXIBLE CANNULA)	
)	
)	

**RESPONSE WITH REQUEST FOR CONTINUED EXAMINATION AND INTERVIEW
SUMMARY**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In reply to the final office action dated July 21, 2008, Applicants electronically submit this response along with a Request for Continued Examination. In view of the arguments and the Statement of Prior Invention under 37 C.F.R. § 1.131 presented herein, Applicants respectfully request that the claim rejections be withdrawn.